FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2427 OF 1997

Office notes, office Memoranda of Coram, appearances, Court's orders or directions & Registrar's orders.	Court's or Judge's Orders

Mr. M. Pungalia for petitioner
None for R-1 though served
Mr. K.Y. Mandlik for R-3
CORAM: SMT. RANJANA DESAI, J.
30/8/05

P.C.:-

In this writ petition the original plaintiff has challenged order dated 27/2/97 passed by the Addl. Small Causes Court Judge on the application filed by the plaintiff under Order 6 Rule 17 of the Civil Procedure Code for amendment. The learned Judge has observed that the proposed amendment may change the nature of the suit.

I have heard learned counsel for the parties.

The suit is filed for recovery of possession of the suit premises. By amendment the petitioner wants to add

merely some additional details. Amendment does not change the nature of the suit.

In the circumstances the impugned order is set aside. The plaintiff is permitted to carry out the amendment. The amendment to be carried out in the trial court within six weeks from today.

Needless to say that the stay is vacated.

Writ petition is disposed of in the aforestated terms.

Rule is discharged.